

## Buethe Details New Labor Landscape, Provides Workplace Relations Guidance in *Minnesota Lawyer* Article

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Stinson LLP attorney [Anne Marie Buethe](#) is featured in a *Minnesota Lawyer* article, "New NLRB rules present fresh challenges for HR departments," discussing the new labor landscape under the current National Labor Relations Board (NLRB or the Board) and how employers can navigate the various and broad challenges coming from the Board this year and in 2024.

Buethe provides insight on the NLRB's [Final Joint Employer Rule](#), which now takes effect Feb. 26, 2024, and is broader than the current standard. "The risk of being found a joint employer, even if that is not your intention ... has gone up," Buethe said, highlighting that employers using subcontractors and temporary employment agencies, for example, may be at heightened risk.

She also commented on pertinent issues stemming from the NLRB's decisions in *McLaren Macomb*, which imposed restrictions on severance agreements, *Stericycle, Inc.*, which limits workplace policies, and *Cemex Construction Materials Pacific, LLC*, which has significantly changed the union election landscape, affecting both unionized and nonunionized employers.

"Employers – unionized and nonunionized alike – should be reviewing all of their handbook policies," Buethe recommended. "What the Board is looking for is do these policies and is the language framed in such a way that an employee can reasonably view it as limiting their ability to talk about their wages and the terms and conditions of their employment."

Buethe also recommends for employers to revisit their policies "with the closest eyes on social media, confidentiality, use of employer technology policies," and to review their conflict-of-interest policies and severance agreement templates to ensure there is no violation of the National Labor Relations Act.

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Buethe works with employers on a variety of traditional labor and employment issues. She balances her employment law practice with a focus on traditional labor law issues, including assisting clients in collective bargaining, contract interpretation, union elections/campaigns, handling grievances and arbitrations, and assisting employers in maintaining positive employee relations in unionized and nonunionized environments.

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### CONTACT

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